

Testimony of Attorney Robert A. Izard, 15 Sunfield Lane, West Hartford, CT

I am a partner at Izard Nobel, LLP in West Hartford. I am a plaintiffs' lawyer. My family and I have enjoyed the MDC's Farmington Ave. reservoir area for running, mountain biking, walking, hiking and cross-country skiing for over twenty years. We have had our fair share of crashes and injuries. We have never thought of and never would sue the MDC.

I strongly support passage of HB 6557, and it seems to me that the failure to pass the bill will result in 2 possible outcomes, both of which are bad.

One possibility is that the MDC will close the reservoir to recreational use, which would be a tragedy. The MDC reservoir area, which is only 5 miles from the capitol, is essentially a great park, uniquely situated so close to an urban area. I have traveled to most major cities in America as a result of my work, and none of them have such a unique and special park type environment so close to downtown. It is what makes living in this area special, and the last thing we need to do is to make our area less attractive to potential businesses and residents. We should encourage public use of this sort, not discourage it.

The other possibility is that the MDC will increase rates to pay for increased insurance – in other words, the cost of the risk of recreation by a few will be transferred to taxpayers. We are not talking about necessary health or education; we are talking about non-essential voluntary leisure and entertainment activities. While I believe in the social network as much as anyone, I don't think it is fair that the public should bear the cost of recreation.

If people aren't willing to bear the risk of their own injuries in the MDC property, the easy answer is to stay home.

The failure to pass HB 6557 would effectively mean that those who are risk averse can take away a great benefit for others who recognize that there are risks in life, which is just not fair. I strongly encourage you to pass HB 6557.